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## WISCONSIN NUTRITION PROJECT INC.

1245 EAST WASHINGTON AVE. SUITE 76 . MADISON . WISCONSIN 53703  
FAX: (608) 251-8545 (608) 251-4153 HNØ169@handsnet.org

March 5, 1998

### Testimony to Joint Finance Committee Regarding Legislative Committee Recommendations to Prevent Childhood Lead Poisoning

Senator Brian Burke and Representative John Gard, Co-Chairs

*"Lead paint is a lot like having a lion sleeping in your living room. You have a dangerous situation. The difficulty is that it must be caged without being awakened. If time or ignorance disturbs this beast before it is safely contained - it will certainly devour your children. And sadly, when it pounces, you won't hear its silent roar."* Jonathan Bader, parent of 3 lead-poisoned daughters.

I am here on behalf of the Wisconsin Nutrition Project, a state-wide organization seeking solutions to hunger and health issues affecting low-income families in Wisconsin. I was also a member of the Special Legislative Committee on Childhood Lead Poisoning which just concluded 18 months of work.

As committee members are aware lead is a powerful neurotoxin that causes learning disabilities, hearing problems, and growth deficits in young children. The CDC has called it "a silent epidemic" and the greatest environmental health threat to children in the U.S. -It affects nearly 1 million children nationwide. Since deteriorated lead paint is the primary cause of lead poisoning, low-income children living in poor quality housing are the ones most often affected. Recent data has also shown that improper renovation is a factor in a significant number of cases in middle income communities in the state.

1993 Act 450, introduced by Rep Coggs, established the first state-wide laws on lead poisoning and has dramatically increased screening by public health agencies. As a result thousands of children who are newly diagnosed each year with elevated blood lead levels have had their exposures interrupted. But because lead's effects are so damaging and irreversible it is imperative that we prevent children's exposure in the first place, and not wait to act until after the fact. Wisconsin's task is clear - we must control the hazards in housing BEFORE children are exposed.

Current data show that about 13% of Wisconsin children under age 6 have been screened for lead and the positive case finding rate is over 10% - more than twice the national average. In the most recent fiscal year about 6,100 children with elevated blood lead levels were identified throughout the state - and thousands more go undiagnosed. On Milwaukee's South Side 32% of children tested are lead poisoned and most children have not even been tested. If we are ever to put an end to this preventable disease *we must focus on screening houses instead of children.*

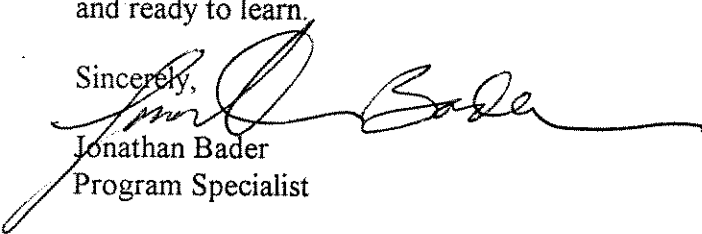
The Special Legislative Committee, under Senator Bob Jauch's leadership, has carefully and systematically outlined the steps to primary prevention. Building on the recommendations of a national taskforce

the committee recommended establishing housing standards for older buildings so property owners would know what to do to make their residences safe. The committee also recommended limiting landlord liability when maintenance standards are implemented, and included education provisions and funding to reduce hazards in low-income properties.

As a parent of three daughters who were lead-poisoned during a home renovation project in DeForest I know the impact this preventable disease has on young children and their families and the urgency of prevention. It took six years for my youngest daughter's lead levels to return to normal and we had to keep her back from starting school for a year because she scored poorly during kindergarten screening. She also was recently treated for blurred vision which began around the time of the poisoning. My wife Ann and I know that lead poisoning crosses the superficial boundaries of income, race and region. Housing standards are the only way to prevent others from repeating our experience.

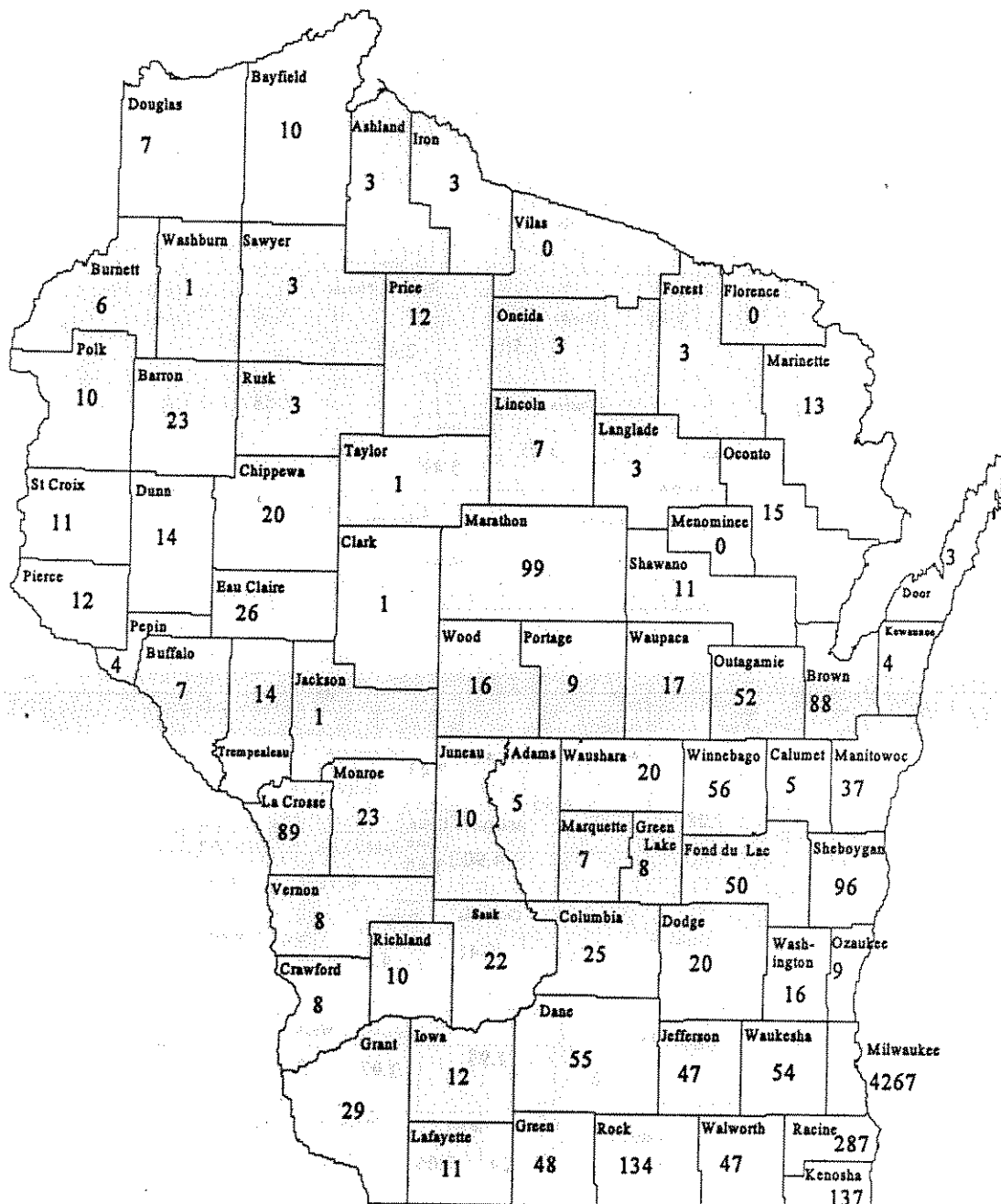
I urge the members of Joint Finance to move the issue of housing standards forward and incorporate the language of the committee's recommendations into the budget adjustment bill. To miss this opportunity will delay us in beginning the end of lead in Wisconsin and will have a profound impact on countless thousands of children and their families throughout the state. We are at a critical juncture and urgently need to reframe our strategy to prevent this disease and ensure Wisconsin children begin school healthy and ready to learn.

Sincerely,



Jonathan Bader  
Program Specialist

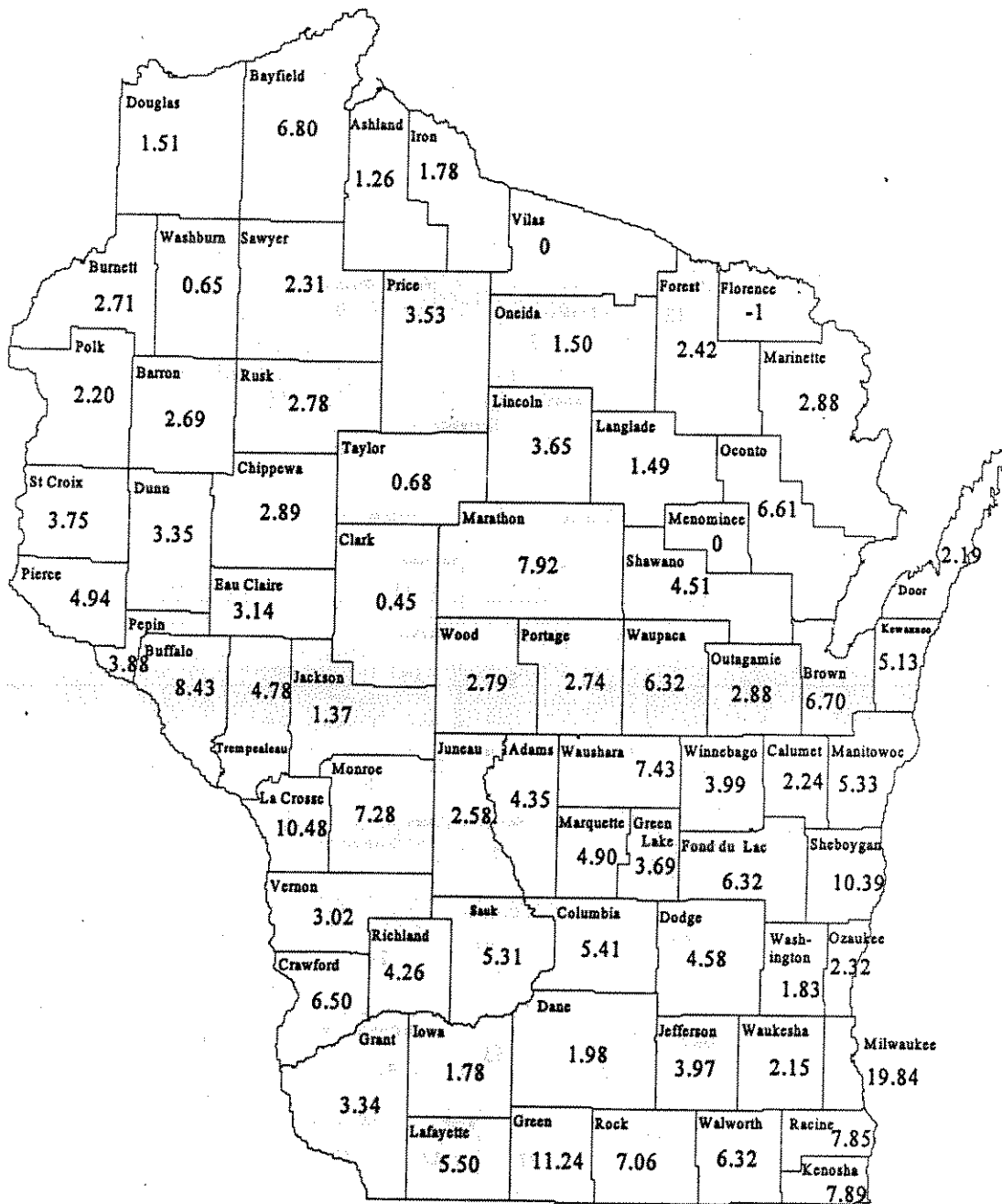
**Distribution by County of the Children Less than 6 Years Old  
Screening Positive (Blood Lead Levels  $\geq 10 \mu\text{g/dL}$ )  
for the time period 7/1/96 - 6/30/97.**



County screening numbers may include data from more than one health department due to more than one health department residing in some counties.

The number of children less than 6 years old that screened at or above  $10 \mu\text{g/dL}$  in Wisconsin is 6,187.

**Percent by County of the Children Less than 6 Years Old  
Screening Positive (Blood Lead Levels  $\geq 10 \mu\text{g/dL}$ )  
for the time period 7/1/96 - 6/30/97.**



County screening numbers may include data from more than one health department due to more than one health department residing in some counties. Note that if less than 40 screens were performed in a county, then -1 is listed as the positive screening rate.

The percentage of children less than 6 years old that screened at or above 10  $\mu\text{g/dL}$  in Wisconsin is 10.07%.



Martin Beil  
Executive Director

# AFSCME Council 24

## AFL-CIO

### WISCONSIN STATE EMPLOYEES UNION

*The Union That Cares*

8033 Excelsior Drive, Suite C, Madison, WI 53717

Phone (608) 836-0024

Fax (608) 836-0222

Gary Lonzo  
President

March 5, 1998

Representative John Gard and Senator Brian Burke, Co-Chairs  
And Members  
Joint Committee on Finance  
119 MLK Bldg.  
Madison, WI

Dear Representative Gard, Senator Burke & Members:

Thank you for allowing me to offer the testimony of AFSCME Council 24 on four very important items in the Division of Care and Treatment Facilities budget adjustment language.

We are pleased to support the language in item #1 which would reduce the amount each Center would lose in their daily reimbursement when a person is moved from the center into the community. We believe it is important to stabilize the budgets of each of the three Centers as their futures are discussed. As you know, the State of Wisconsin is on the cusp of a significant policy initiative, Long Term Care Redesign that needs to consider how these valuable resources might be utilized in this new system. Other important questions on the Centers' future remain as well, such as: how and where will existing patients who can't be served in the community be cared for, and what other uses might the centers serve? We applaud this prudent recommendation.

We are also happy to support the appropriation which will assist our members who may have to relocate when population reductions at the Centers result in their layoffs.

We would like to offer a minor change in item #3, which transfers Southern Center Food Services from DHFS to DOC. We support an amendment being offered by Representative Porter, which would transfer Southern Center Food Services from DHFS to the Department of Veterans Affairs. This transfer would provide a smoother transition between state agencies, since one of the primary roles of this food service unit will be to prepare meals for the veterans' facilities located at Southern Center. The Department of Veterans Affairs may then contract with other state agencies to provide food service for their operations.

Finally, we support the recommendation that the completion of the study on the future of the state centers be postponed until March 1, 1999 with the following changes: language that would be more definitive as to what the study needs to address, the criteria to be used, and some direction as to who will perform the study.

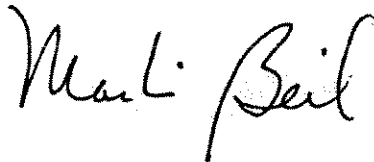
As I mentioned earlier, there should be a significant discussion in the Long Term Care Redesign process as to what role these important resources should play in our new system. Additionally, a recent Legislative Council Study Committee on Services for Persons with Developmental Disabilities concluded that a significant body of information is lacking when examining the entire system that serves this constituency. Conclusions as to the future of the centers have to be made in the context of this entire system. Policy makers need this information before they can make the thoughtful, critical decisions that have to be made about these programs and the people they care for.

Joint Committee on Finance  
March 5, 1998  
Page Two

We would recommend an amendment to the language that would incorporate the recommendation of the Legislative Council Study Committee.

Thank you for your consideration of this testimony.

Sincerely,

A handwritten signature in cursive script that reads "Martin Beil". The signature is written in dark ink and is positioned above the printed name and title.

Martin Beil, Executive Director  
AFSCME Council 24  
Wisconsin State Employees Union



Wisconsin Counties Association

**WISCONSIN  
COALITION  
FOR ADVOCACY**

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## MEMORANDUM

**TO:** Honorable Members of the Joint Committee on Finance

**FROM:** Tom Frazier, Executive Director-Wisconsin Coalition of Aging Groups  
Lynn Breedlove, Executive Director – Wisconsin Coalition for Advocacy  
Craig Thompson, Legislative Director – Wisconsin Counties Association

**DATE:** March 5, 1998

**SUBJECT:** Budget Adjustment Bill

We would like to express our strong support for the funding of an additional 2,119 COP slots included in the Budget Adjustment Bill proposed by the Governor. This allocation of resources will allow counties to significantly reduce waiting lists for services to keep individuals in the community.

In addition to the funding for COP, the Governor also provides funding for pilot projects to be run by counties or tribes in the area of managing long term care. Along with this is an outline of principles to be included in the statewide redesign of the long term care system by the year 2000. We fully support the initiative the Governor has taken in moving this process forward as well as the principles he has listed (i.e. single consumer entry point, the right of a county or tribe to have first right of selection, simplified and uniform eligibility criteria and meaningful involvement of consumers and their families).

While we are working with the Department of Health and Family Services (DHFS) to iron out a host of difficult issues to be included in the redesign, we fully believe that the goal set forth by the Governor is attainable and can be reached through a consensus of the major stakeholders in the system.

We respectfully urge you, therefore, to support the increased funding for COP as well as the funding for the long term care pilot projects and the goals set forth by the Governor for Family Care.



## The Arc-Wisconsin

121 S. Hancock Street • Madison, Wisconsin 53703  
Phone (608) 251-9272 Fax (608) 251-1403

*Advocating Rights Of Citizens With Developmental Disabilities*

To: Wisconsin State Senators and Assembly Persons

From: Fran Bicknell, Chairperson, Governmental Affairs Committee  
Leigh Roberts, President

Date: March 5, 1998

Subject: Budget Review Bill, SB436

There are three items in the Budget Review Bill which are important to people with disabilities and which The Arc-Wisconsin strongly supports.

1. In addition to the 6 million in transfer from Medicaid, we support the allocation of 4 million in additional funds for the Community Options Program (COP). The waiting lists for community care are significant with many people struggling to live in their own homes and communities. The Governor's proposal to increase COP funds by 10 million plus an additional 6 million in federal Medical Assistance funds is very significant in addressing the unmet needs for community care.
2. The Governor's budget proposes to request waivers to assist people with disabilities to be able to work without losing M.A. benefits. This would allow pilot projects in selected areas. Work is an important part of most people's lives and is just as critical to people with disabilities. Most people with more severe disabilities can not work full time because of the loss of health benefits. This pilot project would begin to correct this problem. The addition of people with mental retardation would strengthen this important initiative.
3. The Family Care proposal sets in motion the most significant modifications in long term care since Medicaid came into existence in 1965. While we can not give final approval to this initiative since many details remain to be decided, the proposal as outlined in the budget is very positive in addressing issues raised by disability, aging and county groups. While the proposal gives counties the option to participate or not, it is our view that any redesigned long term care system needs to maintain local control with extensive consumer participation. A Long Term Care Governing Board made up of consumers, consumer representatives and local officials is needed for each county, and this Board should manage the Long Term Care system in each county.

Dorothy Will - President  
Perry Mueller - Treasurer

Leigh Roberts - Vice President  
Angie Zender - Secretary

Kevin Myren - Past President  
Jon A. Nelson - Executive Director





4. There are three additional items which should be addressed in SB436. The \$500,000 reduction in the Division of Vocational Rehabilitation (DVR) funding should be restored for State Fiscal Year 1999. This is causing significant delays for many people with disabilities to receive rehabilitation services and job training.

The SSI supplement for families where a single parent or both parents have a disability should be restored to the level which existed when the children were receiving an AFDC payment. SB454 proposes this change, and we feel this should be added to the Budget Review Bill, SB436. The reduction of \$172 for one child and \$286 for two children has caused significant hardships for many of these families who are exerting extra efforts to provide for their children while at the same time these parents are dealing with their own disabilities. Often times these are also single parents. This level of reduction has caused these families great stress and at times the loss of their home.

The President has proposed in his 1999 budget a 17.4% reduction in the Social Service Block Grant (SSBG). This would be a 7.75 million dollar reduction for Wisconsin and most of that reduction would come from Community Aids. Since previous federal cuts have been passed through to the counties, the community human service system can ill afford another reduction in basic funding for needed human services. We suggest Wisconsin officials work with the Congress to restore these proposed reductions but at the same time set aside funds to make certain Community Aids are maintained at their current level.

The Arc-Wisconsin urges your support of these items.

Cc: The Arc-Wisconsin Board of Directors  
The Arc Governmental Affairs Committee  
Local Chapter Presidents and Executives  
Governor Thompson



State of Wisconsin \

COUNCIL ON MENTAL HEALTH

1 WEST WILSON STREET  
P.O. BOX 7851  
MADISON, WISCONSIN 53707

March 5, 1998

TO: Joint Committee on Finance

The Wisconsin Council on Mental Health endorses SB 436/AB768 legislation (Budget Adjustment Bill) which would allow individuals with mental illness, physical disabilities, HIV/AIDS, who are on SSI/SSDI to work and continue medical benefits.

The reason we are supporting this bill is at the present time the system discourages anyone on disability from gaining full time employment because of the fear of losing primarily their Medicare benefits. This would allow the opportunity to support these individuals into full time employment, thereby over a period of time, their dependency on other aspects of subsidy would be reduced. It would be another forward step in Wisconsin's continued leadership as has been established under the W-2 program.

Sincerely,

*Peter DeSantis*

Peter DeSantis  
Chair, Legislative Committee  
WI Council on Mental Health

Testimony Given to the Joint Committee on Finance

March 5, 1998

Co-chairs Burke and Gard and members of the Joint Committee on Finance:

My name is Dale Bruhn and I live in Madison. I am appearing on behalf of myself and the eight Alzheimer's chapters in the state of Wisconsin to urge you to approve several items in the Budget Adjustment Bill which go to the heart of making life a little easier for thousands of elderly Wisconsin citizens facing costly care for their loved ones who suffer from Alzheimer's.

I am one of those individuals. When we caregivers physically and emotionally can no longer care for our loved ones in our home, the best possible care can be provided by a dementia specific community based residential facility(CBRF). Help to pay for such care is not available from Medicare or Medicaid. Only the Community Options Program(COP) can help to pay for this kind of specialized care. I had to wait for over three years before our name rose to the top of the waiting list in Dane County before I could obtain assistance under this program. The program needs more money to reduce the waiting list time. Currently there are over 8,000 on waiting lists in the state.

The items which will help us and which Governor Tommy Thompson emphasized in his address to the Legislature on January 20, 1998, include: adding \$10 million to the COP program to reduce waiting lists; appropriating \$750,000 to fund pilot projects in several counties to provide answers to fundamental questions relating to the redesign of the Long Term Care system in Wisconsin; and support the Department of Health and Family Services in its efforts to redesign the Long Term Care System.

I am well aware of the difficulty of accomplishing the last issue, i.e. Long Term Care redesign. For over 18 months I served on one of the 4 major steering committees that developed the original proposal presented to DH&FS Secretary, Joe Leean, last spring. After learning that his plan to combine it with acute and primary care was not well received by major stakeholder groups, he formed a "stakeholder's committee" and charged them with the task of refining the original proposal to better satisfy all interested parties. I feel privileged to be asked to serve on that committee and will work hard to come up with a program that will meet the needs of all segments of Wisconsin's population in need of long term care, one that will streamline the current system which is fragmented by over 40 different programs or sources of support, one that will be recognized nationally as leading the pack in long term care for the needy in the 21st century. To do that we need your support.

Thank you for letting me share my thoughts and concerns with you on these vital and critical issues for the well being of thousands of Wisconsin citizens.



Dale F. Bruhn  
5106 Juneau Road  
Madison WI 53705



Serving the  
Lodging Industry  
for Over 100 Years

March 4, 1998

MEMO TO: Joint Finance Committee

FROM: Trisha Pugal <sup>CAE</sup>  
President, CEO

RE: **\$1.5 Increase In Department Of Tourism Funding**

The Wisconsin Innkeepers Association would like to go on record in support of the additional \$1.5 million proposed by Governor Thompson for Tourism promotional funding.

This additional appropriation is imperative for Wisconsin to compete more effectively with tourism promotion in nearby states. Other states benefit from higher promotional budgets, while Wisconsin's budget has not increased, making it increasingly difficult not to lose market share.

Please support the additional \$1.5 million to help Wisconsin's third largest industry to not only retain, but improve, it's market share and generate at least the same amount back to the state in increased sales tax revenue.

cc: WIA Executive Committee  
Cheryl Zaug, CHA  
Janet Swandby  
Secretary Moose Speros

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Brookfield, WI 53005  
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TWP/cp/3/4/98





## WISCONSIN TOURISM FEDERATION

### President

Trisha Pugal  
Wisconsin Innkeepers  
Association  
509 West Wisconsin Ave.,  
Suite 729  
Milwaukee, WI 53203  
414/271-2851

### Lobbyist

Tom Coenen  
Coenen/Swandby Associates, Inc.  
44 E. Mifflin St., Suite 101  
Madison, WI 53703  
608/286-9599

### Members

American Automobile Assoc.  
Assoc. of Wisconsin Tourism  
Attractions  
Golf Course Owners of  
Wisconsin  
Hayward Lakes Resort  
Association  
Outdoor Advertising Assoc.  
of Wisconsin  
Tavern League of Wisconsin  
Wisconsin All Terrain Vehicle  
Association  
Wisconsin Association of  
Campground Owners  
Wisc. Assoc. of Convention  
& Visitors Bureaus  
Wisconsin Dells Visitors &  
Convention Bureau  
Wisconsin Grocers Assoc.  
Wisconsin Innkeepers  
Association  
Wisconsin Manufacturers &  
Commerce  
Wisconsin Restaurant  
Association  
Wisconsin Wholesale Beer  
Distributors Association

## MEMO

**To:** Joint Finance Committee  
**From:** Trisha Pugal, President  
**Subject:** Increased Funding for the Department of Tourism  
**Date:** March 4, 1998

The Wisconsin Tourism Federation, a federation representing 15 tourism related associations, supports the additional \$1.5 million funding for the Department of Tourism for additional promotion of Wisconsin as a tourism destination, as proposed by Governor Thompson.

As Wisconsin's Tourism Department budget for promotion is less than that of other competitive states, this additional revenue would be very valuable in helping to increase tourism business to Wisconsin, which in turn will generate additional future tax revenue back to the state.

Travel expenditures in Wisconsin exceed \$4.9 billion and tourism is one of the top 3 industries in our state, with employment exceeding 90,000 employees.

The Wisconsin Department of Tourism has developed funding priorities among its long list of needs, which are ready for implementation should you approve the additional \$1.5 million. We encourage you to support this appropriation as an investment which will replace itself in future tax revenue back to the state.

cc:WTF Executive Committee  
Secretary Moose Speros

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The Federation of Wisconsin Hospitality/Tourism/Recreation Groups

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44 E. Mifflin St., Suite 101, Madison, WI 53703

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## LAND CONSERVATION DEPARTMENT

*Brown County*

Agriculture and Extension Service Center  
1150 Bellevue Street  
Green Bay, WI 54302  
Phone (414) 391-4620 FAX (414) 391-4617

March 5, 1998

Brian B. Burke  
State Senator Third District  
Co-Chairman Joint Finance  
PO Box 7882  
Madison, WI 53707-7882

John Gard  
Assemblyman 89th District  
Co-Chairman Joint Finance  
PO Box 8952  
Madison, WI 53708

Dear Senator Burke, Representative Gard, Members of Joint Finance Committee:

March 2, 1998, Brown County received notice from Wisconsin Department of Natural Resources of our 1998 Rural Anticipated Cost-Share Reimbursement Amount (ACRA). These dollars are paid directly to farmers in Watershed projects that are under contract to install conservation Best Management Practices (BMP's). The amount of Brown County's 1998 ACRA for our watershed projects is \$457,384 short of our contract needs for 1998 construction and implementation. Brown County has 225 current landowner contracts that are actively installing BMP provisions of their contracts. Ninety-six percent of our watershed contracts have installed one or more conservation BMP; only ten of 225 contracts have yet to begin BMP implementation.

The \$457,384 shortfall is only contract needs for 1998, and does not include any new contracts that we need to develop. If you included additional new contracts, the dollar figure could be another \$150,000 higher. We are proud of this commitment to water quality by Brown County farmers at a time where the agriculture economy has not been optimum. The promises our staff have made to farmers for financial assistance are now in jeopardy because of DNR watershed program funding shortfalls.

**How do we explain to a farmer under contract for conservation implementation this spring that there is no money in the program, yet the state has a budget surplus of \$320 Million Dollars?** This could severely damage water quality efforts by hurting the creditability, trust, and relationship that it has taken years for our staff to build with farmers.

Watersheds have eight-ten year life spans. Shortfalls and/or delays in funding push back BMP installation where either farmers drop out, or we don't have enough staff to install all the BMPs. DNR has, to this point, denied East River Project extension requests that would enable us to accomplish the large number of contracts we have with limited staff.

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March 5, 1998

Brown County has a considerable investment in water quality. The Lower Green Bay and Fox River are listed as one of 46 Great Lakes areas of concern (RAP). George Meyer (DNR) undertook the Fox-Wolf Initiative as a geographically-targeted and cost-effective approach to nonpoint source pollution.

Manitowoc County, Door County, and the Oneida Tribe of Indians have asked for Brown County's partnership in Nonpoint Watershed efforts that crossed county lines (Branch River, Red River, Duck Creek). Brown County entered into watershed programs with assurances and promises that the state would "provide grant funds necessary to support these projects" (See attached correspondence).

**There is no state surplus until the bills (including nonpoint in Brown County) have been paid. The 1998 ACRA shortfall for all counties is over \$6 million dollars.**

Please carry your fight forward to help us relieve our \$457,304 shortfall of payments to Brown County farmers.

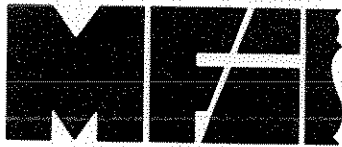
Sincerely,



Bill Hafs  
County Conservationist

BH/mlp





**MILLFAB INCORPORATED**

P.O. BOX 373  
433 EAST SOUTH STREET  
STOUGHTON, WISCONSIN 53589  
608/873-7795

March 5, 1998

Senator Brian Burke, Representative John Gard  
Members of the Joint Finance Committee

My name is Paul Mikulak and I am representing the Governor's Council on Forestry and the Lake States Lumber Association in the matter of SB436 and AB768.

Part of this bill requests funding for the implementation and administration of the Private Forest Grant Implementation Program. It is apparent that when the Budget was passed to allow funding for this program there were no funds earmarked to administer the process.

The recently completed forest inventory for the state of Wisconsin indicates that 57% of our forests are owned by private non-industrial landowners. Obviously those landowners control more resource than all other interests combined. These people are the backbone of our industry. We applaud the legislature for approving the Grant Program in the first place. It seems little to ask that funding be provided to make the program work.

I strongly urge the committee to approve the funding request. I realize the scope and magnitude of the considerations of this committee and that perhaps this may not seem as important as other considerations, but it would be a shame to paralyze a grant program if this nature which is the epitome of the reason for the establishment of the mill tax in the first place, because of an oversight.

The organizations which I represent appreciate your time and understanding.

Respectfully,

  
Paul Mikulak



## Request By Menominee County For Evaluation Of Possible State Assistance

On behalf of Menominee County, we request that the Joint Committee on Finance request the Legislative Fiscal bureau to prepare analysis papers for review by the Committee covering possible ways the State could help the County deal with its unique financial problems. We request the following analyses be performed:

1. Evaluation of whether a special provision of the state shared revenues formula should be created for Menominee County because so much of its land is tax-exempt.
2. Evaluate whether special state assistance for capital needs and state-mandated services could be provided, as discussed at pages 69 -70 in the February 1998 report of the Legislative Audit Bureau (See attached pages).
3. Evaluate whether state funding could be provided to enable Menominee County hire a Community Resource Development agent in its UW-Extension Department.. A CRD agent would be of great assistance to the County in making the management improvements identified in the LAB report at pages 70 -71 (attached).

We respectfully request that the Fiscal Bureau paper recommend options which the Joint Finance committee could implement at its next quarterly meeting where supplemental appropriations are considered.

Dated March 5, 1998.

Respectfully submitted,

  
For Menominee County

## Contracting for Services

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**The county could contract with Shawano County or the Tribe for some services.**

An alternative that stops short of dissolving Menominee County but might lead to some of the economies of scale that could be expected from combining two counties could be achieved by encouraging Menominee County to contract for various services from Shawano County, in much the same way it currently shares a single circuit court and prosecutor and contracts for jail services. If, for example, Menominee County were to contract for all highway maintenance, it could eliminate its own inadequately equipped highway department while providing Shawano County with the means to maintain a better-equipped highway department serving the entire area. For human services not provided by the Menominee Tribe, Menominee County could contract with Shawano County and avoid the cost associated with having at least a part-time supervisor for every program offered. While the state constitution requires that a sheriff be elected in each county, there does not appear to be a barrier to making the position part-time and actually contracting for all services from Shawano County.

One advantage of contracting is that the Menominee County and Town Board would retain control over service levels, such as the number of Sheriff's Department deputies on patrol per shift, and over services that would be specified in each contract with Shawano County. Expected economies of scale could result in a larger portion of property tax revenues being available for direct service delivery rather than funding administrative costs.

On the other hand, contracting may not, in all cases, result in cost savings and property tax relief. For example, officials in Shawano and Oconto counties indicated that employee salaries in those counties are generally higher than those paid in Menominee County. For example, starting Sheriff's Department deputies in Shawano County are paid \$12 per hour, while their counterparts in Menominee County begin at \$9 per hour.

## Additional State Assistance

Given Menominee County's extraordinary social problems and limited tax base, a case can be made that the State should provide it with more financial assistance than other counties receive through various state programs. State efforts to improve the quality of local services without placing additional strain on Menominee County's property tax base could be made in a variety of forms. A general appropriation made directly to the county and town would be the least-complex approach, but the Legislature may wish to direct any special assistance to specific programs to ensure services are improved without greater burden on taxpayers. Assistance could be provided either in the form of one-time payments for

capital items the county and town have difficulty purchasing, or as ongoing assistance to offset costs that are difficult to control, such as those related to crime or those necessary for public safety.

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**Additional state  
assistance may be needed.**

In considering additional state assistance, several issues will need to be addressed, including:

- the amount of local property taxes taxpayers should be expected to contribute toward county and other local activities;
- the program needs to which additional state funds might be directed; and
- the requirements for improved local management that need to be met to ensure the wise use of additional state funds.

Current property tax levels in Menominee County are at the high end of the range of taxes in surrounding communities and for other municipalities with lake property, but they might not be considered unfair if taxpayers received a normal level of services. If additional assistance is provided to the county for improving local services, it may be reasonable to continue taxes at current levels. However, if services are not improved, any additional assistance might be in the form of property tax relief.

Several strategies could be used to improve services provided in Menominee County. First, a series of grants could be provided for equipment and other capital needs, including, for example, those of the county highway department and the Sheriff's Department, and those of the town fire department. Grants for equipment of perhaps \$100,000 per year for five years would allow improvements such as:

- road equipment, including a grader and dump trucks with snowplows and salt spreaders;
- structures such as a shed for storing sand mix, or a heated garage;
- squad cars, only one of which is now replaced annually; and
- used but newer fire trucks.

Special grants of \$500,000 to \$600,000 for town road improvement would pave up to six miles per year; in five years, nearly all town roads could be paved.

In addition to making various grants for capital items, the continuing decline in Menominee County's shared revenue payment could be halted. The county is subject to the provision of the shared revenue formula under which a county's shared revenue payment can decline no more than 5 percent per year even though property values are growing faster than the statewide average rate. The 5 percent reduction does not apply to the utility aid portion of the shared revenue formula. Between 1996 and 1997, Menominee County's payment declined from \$459,969 to \$438,242, or 4.7 percent.

Additional assistance to enhance programs in human services and law enforcement could be provided through various state aid programs. Two areas in which the county appears to have limited ability to control costs and provide adequate services are human services—especially in institutional placement costs for juveniles, children, the chemically dependent, and the mentally ill—and law enforcement. As noted, expenditures for court-ordered placements have ranged between 19.7 percent and 25.6 percent of Menominee County Human Service Department expenditures. In addition, Sheriff's Department costs related to juvenile transports have increased 156 percent and ranged from \$23,566 in 1994 to \$104,478 in 1996. Juvenile transportation costs were \$60,258 in 1997.

In each of these areas, a program to provide state funds for perhaps 50 percent of currently required local costs could continue to require Menominee County to make prudent decisions regarding the use of local funds, as well as any additional state funds provided. If the State had provided 50 percent of youth aids, children's services, mental health services, and juvenile transportation and detainment costs in 1997, an additional \$111,732 would have been available to the county, which would have allowed a similar amount from the property tax levy to be applied toward eliminating the county's operating deficit and addressing program needs in other areas. Table 23 shows various programs for which direct grants or a share of local levy match requirements might be provided.

Finally, funds could be provided to employ or contract for services of a grant writer. It was the general belief of county and state staff that Menominee County is not taking advantage of some available funding sources, such as competitive grants. Menominee County receives grants such as state recycling and public health planning grants, but staff devote little time to identifying other potential funding sources.

Table 23

Options for Additional State Aids

	<u>Agency</u>	<u>1998 Levy Cost*</u>
<b>Grants</b>		
Law Enforcement Staffing	County Sheriff's Department	\$200,000
Firefighter Training	Town Fire Department	7,250
<b>Levy Match</b>		
Juvenile Transportation (50%)	County Sheriff's Department	60,000
Youth Aids and Children's Services	County Human Services	116,505
Mental Health Services	County Human Services	68,158

\* Estimated.

**County management problems need to be addressed.**

If a decision is made to provide additional state funds, it may be prudent to require that Menominee County first address some of its management problems, to ensure state funds are well-managed. We have provided the county with a management letter that includes our observations regarding needed improvements in a number of areas. While time will be required to implement all of our suggested changes, we believe several are key to ensuring appropriate accountability for the use of public funds. These include:

- compliance with statutory open meetings requirements, to improve the extent to which county and town residents can monitor government financial activities and decisions;
- improved fiscal reporting, to allow residents and board members to monitor revenues, expenses, and purchasing decisions by individual agencies and offices on a monthly basis; and
- improved budgeting practices, including consistent formats for agency requests, summaries of total revenues and expenditures, and written justification for new budget items.



# Wisconsin Builders Association

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Bill Wendle

**Director  
Governmental Affairs**

Gerard Deschane

## MEMORANDUM

TO: Members of the Joint Committee on Finance

FROM: Jerry Deschane, Director of Government Affairs

DATE: March 5, 1998

RE: Budget Adjustment Bill-Property Tax Relief Fund

The members of the Wisconsin Builders Association (WBA) urge you not to reduce the maximum amount that can be transferred from the general fund to the property tax relief fund. We ask that you retain Senator Rob Cowles' 1997 Budget Amendment, which sets funds aside for property tax relief. As we understand it, this amount is currently \$175 million in school aids, but would be reduced by Sections 726 and 727 of the Budget Adjustment Bill, and perhaps by other actions.

Members of our association have long supported balanced budgets at all government levels, coupled with prudent spending. Those are absolute requirements in the private sector, and they should apply to state spending as well. Pushing current obligations into the next biennium, while done for good reason, needs to be limited, and perhaps eventually eliminated.

Information provided to us by Senator Cowles' office indicates the total amount of School Levy Tax Credit delays have been growing steadily since 1982. This is a dangerous trend that imperils Wisconsin's ability to maintain balanced budgets while funding two-thirds of public schools. Our members are concerned that an economic downturn could make it very difficult for the Legislature to find the resources needed to meet this unpaid obligation.

The Wisconsin Builders Association has tremendous respect for the difficult decisions that you must make to maintain a Constitutionally-required balanced budget. We you not to make that task more difficult for those who will follow you.

Thank you for considering our viewpoint.



4868 High Crossing Boulevard • Madison, Wisconsin 53704-7403  
(608) 242-5151 • (800) 362-9066 • Fax (608) 242-5150

**Testimony on SB 436 and AB 768,  
the Governor's Budget Adjustment Bill**

*by*

**Kevin Crawford  
Mayor, City of Manitowoc**

*and*

**Stephen Nenonen  
City Manager, City of Fond du Lac**

Honorable co-chairs and members: good afternoon. My name is Kevin Crawford. I am mayor of the City of Manitowoc, and president of the Wisconsin Alliance of Cities. With me is Fond du Lac city manager Steve Nenonen, Alliance vice president.

**Pay-As-You-Go Government**

Before we discuss specific provisions of bill, let me outline to you our concerns about the continuing trend of deferring the cost of current state programs into future bienniums. In effect, the budget adjustment bill would finance today's state budget with tomorrow's economic growth. That jeopardizes traditional programs that provide property tax relief to city residents, such as the school property tax credit, the shared revenue program and the Expenditure Restraint Program.

If the economy turns sour after the governor and the Legislature defer paying their bills, we all will be in trouble. That is why we support the pay-as-you go amendment to the biennial budget bill that was sponsored by Senator Rob Cowles of Green Bay.

Wisconsin's major cities ask only to share in today's revenue growth through modest increases in shared revenue and the expenditure restraint program, and an increase in state operating assistance for mass transit systems.

**Shared Revenue and ERP**

By the end of this biennium, shared revenues and the expenditure restraint program will have been frozen for five consecutive years. This fact of life makes it more difficult for cities to invest in the infrastructure and services necessary to maintain their local economies and quality of life. Without a modest increase in state aids for cities, school property tax relief becomes a tax shift — not true tax relief.

*continued*

### **Mass Transit**

In Act 27, the biennial budget bill, urban mass transit systems were divided among three tiers for aid purposes.<sup>1</sup>

Because of the tenuous federal situation with ISTEA, the finance committee also recommended a higher level of aid for the smaller systems than Tier I. In 1998, transit systems can use federal capital aid for operating expenses, but that flexibility is not guaranteed even for 1999.

Somehow in the caucuses, the increases were equalized to a flat percentage rate. In 1999, we feel the smaller systems will be exposed to greater financial risk because they depend more heavily on federal money.

Therefore, we ask that the percentage of aid the Joint Committee on Finance recommended during its deliberations on the biennial budget be restored, by transferring \$1.6 million GPR to mass transit for 1999.

### **Performance Bonds**

We also have concerns about the performance bond provisions of the budget adjustment bill.

The biennial budget bill relaxed outmoded performance bond requirements for state agencies and local government. Through his partial vetoes, the governor eased requirements further.

AB 768 and SB 436 tackle the issue again, creating a complicated procedure requiring the state or local government to pay subcontractors directly or to pay contractors with two-party checks on contracts between \$10,000 and \$100,000.

As the governor pointed out in his Act 27 veto message, surety bonds are a mechanism that provides state and local government with protection that isn't worth anywhere near their cost. He also rightly noted that the decision to obtain surety bonds for local projects should be a local decision and not mandated by the state.

*continued*

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<sup>1</sup> Tier 1 includes Milwaukee County and Madison; Tier II includes Waukesha (city and county), Monona, Green Bay, Appleton, Racine, Kenosha, La Crosse, Oshkosh, Superior, Eau Claire, Sheboygan, Wausau, Janesville, Beloit, Chippewa Falls and Onalaska; Tier III includes Manitowoc, Fond du Lac, Stevens Point, Merrill, Ashland, Rice Lake, Ladysmith and all shared taxi programs.



It is disappointing to see this sensible conclusion followed by new language that we believe creates more problems than it solves. SB 436 and AB 768 provisions would insert the state and local governments into disputes between contractors and subcontractors. That could subject the taxpayer to losses when payments have been made directly to non-performing subcontractors.

We prefer the language in Act 27 as it left the governor's desk. However, we also support technical amendments to clarify contracting procedures for local governments.

### **Don't Reduce the Local Tax Base**

Finally, we believe it is premature to consider reducing the local property tax base by exempting business computers and software from the personal property tax. The property tax base is the local resource that communities use to pay for the infrastructure they need to attract business. Tax base is necessary not only to provide for the quality-of-life services that keep businesses and residents in a community, it is vital to attracting new businesses through TIF financing. In Manitowoc alone, we have about \$9.3 million worth of computer equipment on the tax rolls, which contributes nearly a quarter of a million dollars in revenue to our schools and local government.

This bill has no provision to capture county and school TIF increments for business computers. If the Legislature supports this tax exemption, some TIF districts will be devastated.

We understand from a Wisconsin Manufacturers & Commerce poll that Wisconsin residents support a property tax reduction for businesses **if they know their own taxes will not increase as a result.**

**WMC erroneously used this finding to claim public support for the computer tax exemption in Senate Bill 436 and Assembly Bill 768. The budget adjustment bill does not meet the criteria of the WMC poll. People cannot know that their own taxes will remain unchanged as a result of the bill.**

In fact, the bill guarantees a tax shift to homeowners, Main Street merchants and other businesses whose activities are not computer intensive. That is because there is no provision in the bill for growth of the money intended to offset the cost of the exemption — at a time when the use of computer equipment in businesses is growing exponentially. Also, the \$64 million the state would provide to offset the tax break would benefit all property taxpayers equally — including those who received the tax exemption.

*continued*

Crawford/Nenonen Testimony

March 5, 1998

Page 4

Please don't take away our tax base in an effort to assist business, when a perfectly acceptable alternative exists that uses state resources, not local resources. That is an income tax credit — refundable if necessary — permanently financed by the same level of government that provided the tax break.

Doing what is right for the families of Wisconsin is truly a state and local partnership. Given adequate resources, we can work with you to hold down property taxes, keep Wisconsin's economy strong and keep the quality of life high in our cities across the state.

Thank you.

*end*

SAUK COUNTY SHERIFF'S DEPARTMENT

SHERIFF VIRGIL H STEINHORST

510 BROADWAY  
BARABOO, WISCONSIN 53913  
BUSINESS: (608) 356-4895  
EMERGENCY DIAL 9-1-1  
FAX: 355-3293  
02/18/98

I WANT TO THANK YOU FOR THE OPPORTUNITY TO SPEAK TO YOU ABOUT A CRISIS IN OUR LAW ENFORCEMENT SYSTEM THAT IF LEFT UNRESOLVED WILL SURELY LEAD TO A DISASTER FOR OUR STATE'S NATURAL RESOURCES AND RUIN THE QUALITY OF LIFE FOR ALL OUR CITIZENS AND EVENTUALLY DESTROY THE TOURIST INDUSTRY AS WE KNOW IT.

MY MESSAGE TO YOU IS VERY STRAIGHTFORWARD. ONE HUNDRED AND THIRTY FIELD CONSERVATION WARDENS FOR THE ENTIRE STATE IS SHAMEFULLY INADEQUATE TO DO THE JOB WE ASK OF THEM. THE NUMBER OF ADDITIONAL FIELD WARDENS NOW UNDER CONSIDERATION WILL HELP BUT IN ALL REALITY IS BUT A BAND AID APPLIED TO A SEVERED ARTERY. OUR STATE NEEDS TO HAVE AN ADDITIONAL ONE HUNDRED AND THIRTY WARDENS JUST TO PLAY CATCH UP.

WHEN I STARTED IN LAW ENFORCEMENT FORTY YEARS AGO, WE HAD SEVEN PEOPLE IN THE SAUK COUNTY SHERIFFS DEPARTMENT. NOW WE HAVE A STAFF OF NEARLY 100 PEOPLE AND WE STILL NEED MORE HELP TO PROVIDE LAW ENFORCEMENT COVERAGE FOR OUR 840 SQUARE MILES.

BY COMPARISON, FORTY YEARS AGO, ONE WARDEN PATROLLED SAUK COUNTY. TODAY WE HAVE BUT TWO. I CHALLENGE ANYONE TO TELL ME THAT THE WORK LOAD AND RESPONSIBILITIES HAVE ONLY DOUBLED IN THOSE FORTY YEARS.

-MORE-

WE ARE FORTUNATE THAT THE TWO WARDENS WHO WORK IN OUR COUNTY ARE TRULY DEDICATED MEN WHO ARE A CREDIT TO THE DNR. I PERSONALLY KNOW THAT EACH IS ABSOLUTELY DEVOTED TO THEIR PROFESSION.

HOWEVER, PROFESSIONALISM AND DEVOTION WILL CARRY THESE FINE MEN ONLY SO LONG. THE JOB WILL USE THEM UP AND THEN BURN THEM OUT RIGHT ALONG WITH THE OTHER DEDICATED WARDENS IN THIS STATE.

THE PUBLIC EXPECTS THEM TO BE AVAILABLE TWENTY FOUR HOURS A DAY, THREE HUNDRED SIXTY FIVE DAYS OF THE YEAR. THEIR WIVES BECOME UNPAID ANSWERING SERVICES FOR THEM. THEY ARE EXPECTED TO BE IN THE FIELD AND AT THE SAME TIME THEY ARE BEING DROWNED BY PAPERWORK. THEIR JOB HAS BECOME TOTALLY REACTIVE. THEIR WORKDAYS CONSIST OF RUNNING FROM COMPLAINT TO COMPLAINT.

COMMUNITY POLICING IS THE BUZZWORD ACTION PLAN FOR LAW ENFORCEMENT TODAY. THIS IS NOTHING REALLY NEW. IT IS WHAT WE DID FORTY YEARS AGO. WE HAD TIME TO CULTIVATE RELATIONSHIPS WITH MEMBERS OF THE COMMUNITY. CITIZENS WERE LITERALLY UNPAID MEMBERS OF OUR DEPARTMENT. THEY WERE OUR EYES AND EARS INTO WHAT WAS GOING ON IN THE COUNTY.

WE KNEW ABOUT THE BAD GUYS BECAUSE WE HAD THE TIME TO STOP AND LISTEN TO THE GOOD GUYS WHO TOLD US WHAT THE BAD GUYS WERE DOING. WE DEPENDED ON THE CITIZENS AND IN TURN, THEY KNEW THEY COULD DEPEND ON US.

-MORE-

IT WAS THE SAME WAY FOR THE WARDENS. THEY HAD THE TIME TO FORM BONDS WITHIN THE COMMUNITY AND DEVELOP RAPPORT WITH CITIZENS. HUNTERS AND FISHERMEN HAD RESPECT FOR THE WARDENS BECAUSE THEY KNEW THEM PERSONALLY. MUCH OF THE INFORMATION REGARDING VIOLATORS CAME FROM CITIZENS WHO IDENTIFIED WITH THE WARDEN'S EFFORTS TO PRESERVE OUR NATURAL RESOURCES.

THE WARDENS RARELY DEVELOP THOSE KINDS OF MUTUALLY BENEFICIAL RELATIONSHIPS WITH THE CITIZENS ANY MORE BECAUSE OF THE DEMANDS ON THEIR TIME. THE HARDER THEY MUST WORK TO ACCOMPLISH THEIR GOALS, THE MORE DIFFICULT THEIR JOBS BECOME DUE TO THEIR INCREASING ISOLATION FROM THE COMMUNITY.

I FIRMLY BELIEVE THAT THERE IS A DIRECT RELATIONSHIP BETWEEN THE AMOUNT OF PERSONAL CONTACT LAW ENFORCEMENT PERSONNEL HAVE WITH THE PUBLIC AND THE PUBLIC'S RESPECT FOR THE LAW AND OVERALL OBEDIENCE TO IT. MORE WARDENS HAVING THE OPPORTUNITY FOR MORE CONTACT WITH THE CITIZENS OF THIS STATE WILL EVENTUALLY HALT THE DOWNWARD SPIRAL WE NOW SEE IN THE PUBLIC'S ATTITUDE TOWARD AND COMPLIANCE WITH OUR DNR RULES AND REGULATIONS.

THE ACCUMULATED JOB STRESS ALSO IMPACTS NEGATIVELY ON THE WARDENS HOME LIFE. IT MUST BE ONLY DUE TO THEIR WIVES UNDERSTANDING AND LOVE THAT ONE HUNDRED PER CENT OF THE WARDENS ARE NOT DIVORCED. THAT FACT ALONE SHOULD BE ENOUGH TO INITIATE CHANGES IN THE PROGRAM.

I HAVE ENJOYED THE STATE'S NATURAL RESOURCES AS LONG AS I HAVE LIVED IN WISCONSIN. I WANT MY GRANDCHILDREN AND THEIR CHILDREN TO HAVE THE SAME OPPORTUNITIES FOR RECREATION AS I HAVE. I WANT THE AIR AND THE WATER TO BE CLEAN AND WHOLESOME.

THE CONSERVATION WARDENS STAND BETWEEN THOSE FORCES THAT WOULD TAKE AWAY THOSE OPPORTUNITIES FOR RECREATION AND THOSE WHO WOULD SPOIL OUR AIR AND WATER WITH POLLUTION. THIS STATE'S RECREATIONAL OPPORTUNITIES, CLEAN AIR AND WATER ARE WHAT BRINGS THOUSANDS OF OUT-OF-STATE PEOPLE HERE.

INSURING THAT THE SIX BILLION DOLLAR A YEAR TOURIST INDUSTRY WILL CONTINUE IN THIS STATE ALONE WOULD NECESSITATE INCREASING THE NUMBER OF EFFECTIVE WARDENS IN THE FIELD. IF OUR STATE'S FISH AND GAME POPULATION IS REDUCED AND OTHER OUTDOOR ACTIVITIES OVER WHICH THE WARDENS HAVE JURISDICTION ARE FURTHER DEGRADED, THE NUMBER OF PEOPLE WANTING TO COME TO WISCONSIN WILL MOST SURELY DECLINE.

WE ALSO STRONGLY URGE THAT THE DNR MUST TURN TO TECHNOLOGY TO FREE THE WARDENS FROM HOURS AND HOURS OF PAPERWORK. I WOULD SUGGEST THAT EIGHT HUNDRED TELEPHONE NUMBERS BE MADE AVAILABLE TO THE PUBLIC SO THAT THEIR QUESTIONS AND COMPLAINTS WOULD BE HANDLED BY ON DUTY DNR STAFF WHO WOULD BE ABLE ANSWER AND PRIORITIZE CALLS FOR THE FIELD WARDENS.

HAVING THE CALLS DIRECTED TO THE WARDENS HOMES IS A VERY INEFFICIENT WAY OF DOING BUSINESS. I BELIEVE THAT A COMMUNICATIONS CENTER CONCEPT SHOULD BE THOROUGHLY EXPLORED AS AN ALTERNATIVE METHOD.

-MORE-

DNR SUPPORT PERSONNEL SHOULD BE HIRED TO TYPE REPORTS PHONED IN BY WARDENS ON DEDICATED DICTATION LINES TO HELP REDUCE THE TIME THEY MUST SPEND BEHIND THEIR WORD PROCESSORS. THE REPORTS WOULD THEN BE SENT BACK TO THE WARDENS FOR THEIR REVIEW AND FURTHER ACTION AS NECESSARY.

I REALIZE THAT IT WILL TAKE A LOT OF MONEY TO DOUBLE THE NUMBER OF WARDENS AND TO PAY FOR THE OTHER MEASURES I HAVE SUGGESTED. HOWEVER, THE COST OF NOT DOING ANYTHING AT ALL WILL ULTIMATELY PROVE TO BE FAR GREATER FOR THIS STATE. WE OWE IT TO OURSELVES AND THOSE GENERATIONS THAT WILL FOLLOW US THAT WE MAKE THE COMMITMENT NOW.

LET US CONSIDER THESE COSTS TO BE AN INVESTMENT IN THE FUTURE. IT IS ABSOLUTELY VITAL THAT WE HAVE ENOUGH WARDENS TO PROTECT OUR STATE'S AIR, LAND, WATER, FISH AND GAME AND MAKE OUR LAKES, SNOWMOBILE AND ALL-TERRAIN VEHICLE TRAILS SAFE FOR THE PUBLIC. WE ARE ALL IN THIS TOGETHER. WE MUST DO THE RIGHT THING TO PRESERVE AND INSURE OUR FUTURE.

I THANK YOU VERY MUCH FOR YOUR TIME.

SINCERELY YOURS,

VIRGIL H. STEINHORST  
SAUK COUNTY SHERIFF

GR

LAW OFFICES  
EDGARTON, ST. PETER, PETAK, MASSEY & BULLON

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GEORGE M. ST. PETER, OF COUNSEL  
NEIL HOBBS, OF COUNSEL

February 24, 1998

Senator Carol Roessler  
11 South State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Representative John Dobyns  
State Capitol  
P.O. Box 8952  
Madison, WI 53708-8952

FEB 25 1998

Representative Carol Owens  
State Capitol  
P.O. Box 8952  
Madison, WI 53708-8952

Re: Sewer Law Wisconsin Statute 66.03

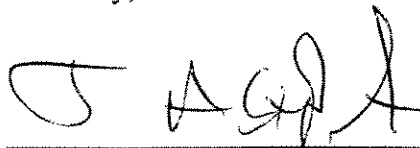
Ladies and Gentlemen:

On behalf of the City of Fond du Lac, the Village of North Fond du Lac and the Towns of Fond du Lac, Taycheedah, Friendship, Calumet, and Empire, we wish to encourage change in state statute which will make the sewer contract currently under negotiations much easier to execute.

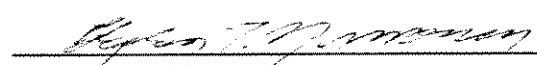
Earlier communications provided a discussion of the issues, but the attached will once again explain a simple solution to our difficulty. If you need any further information please contact either Mr. St. Peter or myself and we would be glad to discuss the issue with you.

We have discussed this proposal with the Towns Association, the Alliance of Cities and the League of Wisconsin Municipalities and have their support. Your assistance in getting this attached to the budget repair bill will be appreciated.

Sincerely,



John A. St. Peter, Esq.  
Representative of Sewer  
Contract Negotiation

  
Stephen T. Nenonen  
City Manager  
City of Fond du Lac

Enclosure

letter sent ✓



Current and Proposed Law  
Regarding the Apportionment of Assets  
When Part of a Town Sanitary District Is Annexed

INTRODUCTION

**PROBLEM:** Current law unnecessarily restricts the ability of towns, town sanitary districts, cities, and villages to reach mutually beneficial agreements involving the apportionment of assets when part of a town sanitary district is annexed.

Specifically, when the annexed area includes part of a town sanitary district, current law requires that the town sanitary district and the annexing city or village divide assets and liabilities in accordance with section 66.03, Stats. The provisions in section 66.03 are cumbersome and ill-suited to dividing sanitary district assets and liabilities. Currently, the City of Fond du Lac and the surrounding towns and sanitary districts are negotiating a mutually beneficial sewer service agreement. The requirement that section 66.03 be the exclusive method of dividing assets and liabilities is an impediment to the parties' ability to reach a satisfactory agreement.

**SOLUTION:** Amend the statutes to give towns, town sanitary districts, villages, and cities more flexibility. Empower them to enter intergovernmental cooperation agreements that provide alternative methods of dividing assets and liabilities.

---

1. **Current State of the Law**

A. Section 60.79(2).

Pursuant to section 60.79(2), Stats., if part of a town sanitary district is annexed by a city or village, the assets and liabilities of the annexed territory will be divided as prescribed in section 66.03, Stats., if:

- (1) The annexed territory is served by the town sanitary district with a water or sewerage system, or
- (2) The territory is not so served, but the town sanitary district has obligations ("debts") related to the annexed territory requiring payment for longer than one year following the annexation.

B. Section 66.03.

- (1) Section 66.03 contains substantive requirements for the apportionment of assets and liabilities.
- (2) Under section 66.03, the proportion of assets and liabilities assigned to the annexing city or village is based on assessed values of taxable property as follows:

$$\frac{\text{Proportion of assets and liabilities assigned to city or village}}{\text{Assessed value of taxable property in annexed territory}} = \frac{\text{Assessed value of all taxable property in town sanitary district}}{\text{Assessed value of all taxable property in town sanitary district}}$$

C. Case Law.

The courts have ruled that the method of division of assets and liabilities prescribed by section 66.03, Stats., is exclusive and that any other agreement that an annexing city and town sanitary district may have regarding the division of assets is void. *City of Sheboygan v. Town of Sheboygan Sanitary Dist. No. 2*, 145 Wis. 2d 424, 428 (Ct. App. 1988) (copy attached).

2. Problems with the Exclusive Use of Section 66.03A. Prohibits municipal cooperation and flexibility.

The exclusive use of section 66.03 inhibits municipal cooperation and prohibits a flexible and mutually beneficial approach to the apportionment of assets and liabilities.

B. Cumbersome.

In practice, section 66.03 is cumbersome to use and is frequently ignored.

C. The method of apportionment does not make sense in the context of a town sanitary district.

The method of dividing assets and liabilities under section 66.03 was originally created for an apportionment between local governmental units of

general authority – i.e., between a town and an annexing city or village.  
Apportioning assets according to the ratio of:

$$\frac{\text{assessed value of taxable property in the annexed territory}}{\text{assessed value of taxable property in the entire town}}$$

makes sense when territory is annexed from one local government of general authority to another government of general authority because normally both local governments are financed largely through property taxes. Town sanitary districts, however, often are financed to a greater extent by other means (special assessments, hookup charges, user fees). As a result, it makes no sense to require that assets and liabilities of town sanitary districts be apportioned by a formula tied to the assessed value of taxable property. Requiring such apportionment can lead to absurd and unfair results.

### 3. Solution to the Problem.

- A. Legislative Solution. The legislature should adopt legislation that will allow municipalities to enter into intergovernmental agreements relating to the allocation of assets and liabilities when part of a town sanitary district is annexed. Such legislation would empower municipalities to cooperate and would provide municipalities with flexibility in apportioning assets.
- B. Proposed Legislation. Section 60.79(2)(c) should be amended as follows:

(c) The city or village and the town sanitary district shall divide the assets and liabilities of the town sanitary district under s. 66.03, except that ownership of any water or sewerage system shall be determined under par. (dm). Express power is hereby granted to the governing body of the city or village and the commission to contract with each other relative to dividing assets and liabilities by a method other than that provided in s. 66.03.

- C. Source of language. Note that the proposed language is patterned after the last sentence of section 60.79(2)(d), which grants municipalities power to contract with each other relative to the operation and ownership of property of any water or sewerage system.

## OFFICIAL WISCONSIN REPORTS

## Court of Appeals

APPEAL from a judgment of the circuit court for Sheboygan county: DANIEL P. ANDERSON, Judge. *Reversed.*

For the petitioner-appellant the cause was submitted on the briefs of *Stephen G. McLean*, city attorney, of Sheboygan.

For the defendants-respondents the cause was submitted on the briefs of *Hopp, Hodson, Powell & Raftery* by *Eugene P. Hodson*, of Sheboygan.

Before Moser, P.J., Wedemeyer and Sullivan, JJ.

SULLIVAN, J. The City of Sheboygan appeals from a judgment finding it liable for sewage connection and service charges. The issues on appeal are whether section 6(a) of the addendum to the 1975 Joint Sewer Agreement provides an alternative method to sec. 66.03, Stats., of dividing assets and liabilities upon the annexation of land, and, if so, whether the City, the Town of Sheboygan District No. 2 and the Town of Sheboygan, had the authority to contract as to the method of division of assets and liabilities. We conclude that the method of division of assets and liabilities prescribed in sec. 66.03, Stats., is exclusive and that section 6(a) of the addendum which provides for an alternative method of dividing assets and liabilities is void. We reverse.

The City of Sheboygan and outlying communities, including District No. 2 and the Town of Sheboygan, entered into an agreement entitled the 1975 Joint Sewer Agreement. Under its term the City agreed to treat and dispose of all sewage transported to its wastewater facility. A 1978 addendum to this agreement by the City, District and Town, concerned the connection of their residents to each others' sewage systems. The addendum provided that, where more

## OFFICIAL WISCONSIN REPORTS

Sheboygan v. Sheboygan Sanit. Dist. 145 Wis. 2d 424

CITY OF SHEBOYGAN, a municipal corporation,  
Plaintiff-Appellant,

v.

TOWN OF SHEBOYGAN SANITARY DISTRICT  
NO. 2, a quasi-municipal corporation, and  
Town of Sheboygan, a municipal corporation,  
Defendants-Respondents.†

## Court of Appeals

No. 87-1769. Submitted on briefs March 1, 1988.—Decided  
June 1, 1988.

(Also reported in 427 N.W.2d 390.)

Municipal Corporations § 49.—annexation of land—sewage service charges—exclusive method of division of assets and liabilities.

In civil proceeding to recover sewage connection and service charges from city, trial court improperly found that city became liable for portion of debt for land annexed under Joint Sewage Treatment Agreement and that, under section of addendum to Agreement, charges were to retire Sanitary District's debt for land annexed, where addendum concerned connection of city, district and town residents to one of three sewage systems and annexation by city of land from district or town, and, although section of addendum provided alternative method of division of assets and liabilities upon annexation of land, method of division of assets and liabilities prescribed in governing statute which included Joint Sewer Agreement was exclusive, and therefore section of addendum concerning method of division was void (Stats § 66.03).

† Petition to review denied.

\* See Callaghan's Wisconsin Digest, same topic and section number.

## OFFICIAL WISCONSIN REPORTS

## Court of Appeals

condominiums which were connected to the City's sewage system. The District billed the City for sewage connection and debt-service charges for these properties. A disagreement ensued regarding the payment of these charges. The City, District and Town resolved most of the issues concerning the billing by stipulation and an additional addendum to the Joint Sewage Treatment Agreement. Issues remained, however, as to the payment of charges for scattered properties located west of Taylor Boulevard and east of North 38th Street in the City of Sheboygan. The City then brought an action for declaratory judgment. The trial court held that pursuant to secs. 60.79 and 66.03, Stats., the City became liable for a portion of the debt of the land annexed and that under section six of the addendum the charges were to retire the District's debt for the land annexed.

On appeal, the City contends that upon annexation of land, under sec. 60.79(2), Stats., the assets and liabilities are to be divided pursuant to sec. 66.03, Stats., and that this method of ascertaining the municipalities' liabilities is exclusive. It argues that the District could not contract as to the division of liabilities upon annexation of land; the District could only contract as to the operation and ownership of its sewage system upon annexation.

The Town argues that it had the authority to contract, pursuant to secs. 60.79(2)(d)1 and 66.30, Stats., concerning the division of assets and liabilities of annexed land. The Town further argues that because the City did not elect to divide the assets and liabilities as provided by section 6(b) of the addendum, it properly charged the City connection and service fees in order to retire the debt of the annexed land.

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practical, residents of the municipalities would be attached to the adjoining municipality's sewage system. The municipality to be benefited was to pay the cost of the connection.

The addendum also contained a provision concerning annexation by the City of land from the District or Town. The annexation provision provided:

6. *Annexation of Territory.*

(a) *Payment of service by "City".* In any case where "City" has annexed land from the Town of Sheboygan, the charges to be made to those residents and land annexed shall be billed to "City" for payment; it is understood that after any such lands are annexed that no levy of charges shall be made to the owner or resident of such land directly by the "District" or "Town", but all charges chargeable to its residents shall be made to the City of Sheboygan.

(b) *Assets and Liabilities.*

(1) When the "City" shall either by reason of a single or multiple annexations of land (multiple annexations need not be contiguous) within the Sanitary District, if the area is four (4) or more acres in size, it may elect that there shall be a division of assets and liabilities in accordance with Section 66.03 of the Wisconsin Statutes.

(c) *Service Charge Reduction.* If the assets and liabilities are determined pursuant to subsection (b) above for a particular area annexed, the service charges thereafter levied by the "District" shall not include charges for the capital improvements covered under the divisions of assets and liabilities.

In the present case, properties were annexed to the City and improved by apartment buildings and

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(a) The incorporation or annexation of territory within the town sanitary district detaches that territory from the district.

(b) The city or village and the town sanitary district are subject to pars. (c) to (e) if territory constituting less than the entire town sanitary district is annexed or incorporated and:

1. The territory is served by the town sanitary district with a water supply or sewerage system; or

2. The territory is not served by the town sanitary district with a water supply or sewerage system, but the district has obligations related to the territory subject to incorporation or annexation which require payment for longer than one year following the incorporation or annexation.

(c) *The city or village and the town sanitary district shall divide the assets and liabilities of the town sanitary district under s. 66.03, except that the ownership of any water supply or sewerage system shall be determined under par.(dm).*

(Emphasis added.)

The land annexed by the City was not serviced by the Sanitary District's water supply or sewerage system. It was, however, subject to a debt which required payment for longer than one year following the annexation.<sup>1</sup> As a result, upon annexation, the assets and liabilities should have been divided pursuant to sec. 66.03, Stats.

As noted earlier, the Town argues that since the City did not elect to divide the assets and liabilities

<sup>1</sup>Both parties repeatedly refer to the District's debt as "long-term". Both parties' arguments also assume the applicability of sec. 60.79(2), Stats. Therefore, we infer that the District's obligation on the debt extended longer than one year following the annexation of the land in question.

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Section 6 of the addendum addresses annexation by the City of land from the District or Town. Subsection (a) provides that any charges to be made to residents of annexed land should be billed to the City for payment. When reading subsection (a) in conjunction with subsections (b) and (c) of the provision, it is clear that subsection (a) provides an alternative method of dividing assets and liabilities. If the City chooses to divide assets and liabilities under subsection (b) pursuant to sec. 66.03, Stats., under subsection (c) service charges levied by the District shall not include charges for capital improvements. If the City does not choose to divide the assets and liabilities pursuant to sec. 66.03, charges for capital assessments would be billed under subsection (a).

In January 1980, the District became indebted in order to install sewage lines within its boundaries. The District employs a mil tax, connection charge, and a percentage of a service charge, to pay the debt. Upon annexation of District land, the City became liable for a portion of this debt. Under section 6 of the addendum, if the City does not elect to divide the assets and liabilities pursuant to sec. 66.03, Stats., the District may bill the City mil tax and connection and service charges for the land annexed in order to retire its debt. We conclude that section 6(a) provides an alternative method of division of assets and liabilities upon the annexation of land. We further conclude, however, that the method of division of assets and liabilities prescribed in sec. 66.03 is exclusive and that therefore section 6(a) of the addendum is void.

Sec. 60.79(2), Stats., provides in part:

INCORPORATION OR ANNEXATION OF  
PART OF A TOWN SANITARY DISTRICT.

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pursuant to sec. 66.03, Stats., as provided by section 6(b) of the addendum, it properly charged the City connection and service fees in order to retire the debt of the annexed land. We disagree. The method of ascertaining the liabilities of the municipalities prescribed by sec. 66.03, Stats., is exclusive and until the assets and liabilities are divided according to sec. 66.03, the City is not liable for the existing debt of the land annexed. *City of Wauwatosa v. Union Free High School Dist.*, 250 Wis. 2d 268, 271-72, 26 N.W.2d 535, 537 (1947).

*By the Court.*—Judgment reversed.

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*Budget*

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February 27, 1998

Senator Carol Roessler  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

MAR 03 1998

*Carol*

Dear ~~Senator Roessler~~:

As you know, the City of Fond du Lac and the surrounding towns are negotiating a sewer service agreement. The parties have encountered difficulties dividing the assets and liabilities under current statutory language. We have reviewed the enclosed outline prepared by Attorney Richard Nordeng, Special Counsel for the City of Fond du Lac.

Attorney Nordeng has proposed a simple and straightforward solution to this problem. We support his recommended solution wholeheartedly, and we urge you to sponsor an amendment to the budget adjustment bill to make the necessary statutory changes.

Thanks you for your consideration.

Sincerely,

*Dan Thompson*

Dan Thompson  
Executive Director

*Directors: Jeannette Bell, Mayor, West Allis • Margaret Ciccone, Mayor, Superior • Mark F. Dahlberg, Village President, Grantsburg • David DeAngelis, Mayor, Muskego • Meg Erler, Village President, Plover • Wayne P. Frank, Alderman, Milwaukee • Dennis Jordan, City Administrator, Berlin • Ronald Kryger, Village President, Pulaski • David E. Pelton, Mayor, Mauston • Rod Schroeder, Village President, Grafton*  
*Executive Director: Dan Thompson*



Current and Proposed Law  
Regarding the Apportionment of Assets  
When Part of a Town Sanitary District Is Annexed

INTRODUCTION

**PROBLEM:** Current law unnecessarily restricts the ability of towns, town sanitary districts, cities, and villages to reach mutually beneficial agreements involving the apportionment of assets when part of a town sanitary district is annexed.

Specifically, when the annexed area includes part of a town sanitary district, current law requires that the town sanitary district and the annexing city or village divide assets and liabilities in accordance with section 66.03, Stats. The provisions in section 66.03 are cumbersome and ill-suited to dividing sanitary district assets and liabilities. Currently, the City of Fond du Lac and the surrounding towns and sanitary districts are negotiating a mutually beneficial sewer service agreement. The requirement that section 66.03 be the exclusive method of dividing assets and liabilities is an impediment to the parties' ability to reach a satisfactory agreement.

**SOLUTION:** Amend the statutes to give towns, town sanitary districts, villages, and cities more flexibility. Empower them to enter intergovernmental cooperation agreements that provide alternative methods of dividing assets and liabilities.

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1. Current State of the Law

A. Section 60.79(2).

Pursuant to section 60.79(2), Stats., if part of a town sanitary district is annexed by a city or village, the assets and liabilities of the annexed territory will be divided as prescribed in section 66.03, Stats., if:

- (1) The annexed territory is served by the town sanitary district with a water or sewerage system, or
- (2) The territory is not so served, but the town sanitary district has obligations ("debts") related to the annexed territory requiring payment for longer than one year following the annexation.

B. Section 66.03.

- (1) Section 66.03 contains substantive requirements for the apportionment of assets and liabilities.
- (2) Under section 66.03, the proportion of assets and liabilities assigned to the annexing city or village is based on assessed values of taxable property as follows:

$$\begin{array}{l} \text{Proportion of assets} \\ \text{and liabilities assigned} \\ \text{to city or village} \end{array} = \frac{\begin{array}{l} \text{Assessed value of taxable} \\ \text{property in annexed territory} \end{array}}{\begin{array}{l} \text{Assessed value of all taxable} \\ \text{property in town sanitary district} \end{array}}$$

C. Case Law.

The courts have ruled that the method of division of assets and liabilities prescribed by section 66.03, Stats., is exclusive and that any other agreement that an annexing city and town sanitary district may have regarding the division of assets is void. *City of Sheboygan v. Town of Sheboygan Sanitary Dist. No. 2*, 145 Wis. 2d 424, 428 (Ct. App. 1988) (copy attached).

2. **Problems with the Exclusive Use of Section 66.03**

A. Prohibits municipal cooperation and flexibility.

The exclusive use of section 66.03 inhibits municipal cooperation and prohibits a flexible and mutually beneficial approach to the apportionment of assets and liabilities.

B. Cumbersome.

In practice, section 66.03 is cumbersome to use and is frequently ignored.

C. The method of apportionment does not make sense in the context of a town sanitary district.

The method of dividing assets and liabilities under section 66.03 was originally created for an apportionment between local governmental units of

general authority – i.e., between a town and an annexing city or village.  
Apportioning assets according to the ratio of:

$$\frac{\text{assessed value of taxable property in the annexed territory}}{\text{assessed value of taxable property in the entire town}}$$

makes sense when territory is annexed from one local government of general authority to another government of general authority because normally both local governments are financed largely through property taxes. Town sanitary districts, however, often are financed to a greater extent by other means (special assessments, hookup charges, user fees). As a result, it makes no sense to require that assets and liabilities of town sanitary districts be apportioned by a formula tied to the assessed value of taxable property. Requiring such apportionment can lead to absurd and unfair results.

3. **Solution to the Problem.**

- A. Legislative Solution. The legislature should adopt legislation that will allow municipalities to enter into intergovernmental agreements relating to the allocation of assets and liabilities when part of a town sanitary district is annexed. Such legislation would empower municipalities to cooperate and would provide municipalities with flexibility in apportioning assets.
- B. Proposed Legislation. Section 60.79(2)(c) should be amended as follows:

(c) The city or village and the town sanitary district shall divide the assets and liabilities of the town sanitary district under s. 66.03, except that ownership of any water or sewerage system shall be determined under par. (dm). Express power is hereby granted to the governing body of the city or village and the commission to contract with each other relative to dividing assets and liabilities by a method other than that provided in s. 66.03.

- C. Source of language. Note that the proposed language is patterned after the last sentence of section 60.79(2)(d), which grants municipalities power to contract with each other relative to the operation and ownership of property of any water or sewerage system.



**Carol Roessler**  
STATE SENATOR

TO: Members of the Joint Committee on Finance

FROM: Senator Carol Roessler

DATE: March 3, 1998

RE: Funding for the backlog of railroad crossings

This legislation is being proposed to address the extremely dangerous growing backlog of required railroad crossing safety improvements needed statewide. **As you know, it is the state responsibility to fund railroad crossing improvements such as flashing lights and gates.** Currently, the Office of the Commissioner of Railroad and Department of Transportation has identified a backlog of at least 45 crossings with orders issued for improvements. A 1996 Legislative Audit Bureau report highlighted the state backlog for crossing improvements and noted that Wisconsin's accident rates per 1,000 crossings was higher than the national average and most neighboring states. During 1996 there were 141 railroad crossing accidents that killed six people and injured 61 people. The best step to reduce these accidents is to improve crossings in the state.

This legislation provides both short-term and long-term solutions to this growing and continuing problem. For the short-term we would provide funding for the catch-up in the backlog of projects, estimated at close to \$6 million for the 45 projects. For the long-term, DOT and the Office of the Commissioner of Railroads must submit to the Governor and the Joint Committee on Finance a detailed plan for maintaining crossing improvements. The long-term solution requires a methodology to prioritize projects. A detail list of projects is available from the Commissioner of Railroad and projects statewide are included on the current list.

RANK	RR	DOCKET	DATE	LOCATION	STREET	WORK	DEADLINE
5	BNSF	9020-124	03/21/96	PIERCE CO.	LOW RIVER RD	GATES	12/31/98
5	BNSF	9020-124	03/21/96	PIERCE CO.	985 <sup>TH</sup> ST	GATES	12/31/98
5	BNSF	9020-127	03/19/98	LA CROSSE	2 <sup>ND</sup> AVE	CWT	12/31/98
1	UP	9040-1028	01/03/95	TOMAH	LAGRANGE	F.L.'S	12/31/95
2	UP	9040-1050	10/16/95	JANESVILLE	READ RD	MOT.	10/01/97
5	UP	9040-1089	09/15/97	CLINTON	STH 140	GATES	12/31/98
4	UP	9040-1094	05/20/97	JANESVILLE	JACKSON ST	GATES	12/31/98
2	WCL	9164-207	09/13/94	LADYSMITH	E 14 <sup>TH</sup> ST	F.L.'S	08/29/97
2	WCL	9164-166	09/27/94	ST CROIX CO	CTH D	F.L.'S	12/31/97
5	WCL	9164-159	05/24/94	JUNCT. CITY	STH 34	GATES	12/31/97
3	WCL	9164-200	06/21/94	WINN. CO.	GARFIELD	F.L.'S	12/31/97
5	WCL	9164-164	06/07/94	STEVENS PT	CLARK ST	GATES	12/31/97
4	WCL	9164-204	10/05/94	RUDOLPH	REDDIN RD	GATES	12/31/97
1	WCL	9164-119	05/11/95	THORP	HART RD	F.L.'S	12/31/97
4	WCL	9005-71	09/02/97	GRAND CHUTE	CTH BB	F.L.'S	03/02/98
5	WCL	9164-326	11/24/97	BURLINGTON	ADAMS ST	GATES	07/15/99
5	WCL	9164-323	11/25/97	WAUKESHA	LAWNSDALE ST	GATES	12/31/99
5	WCL	9164-321	06/10/97	LOMIRA	STH 49	GATES	12/31/99
1	WCL	9164-299	01/21/98	LADYSMITH	1 <sup>ST</sup> AND 2 <sup>ND</sup>	MOVE	06/30/98
3	WCL	9164-320	02/03/98	OSHKOSH	VINLAND RD	F.L.'S	06/01/99
5	WCL	9164-320	02/03/98	OSHKOSH	24 <sup>TH</sup> ST	GATES	12/31/99
5	WCL	9164-299	01/21/98	LADYSMITH	COLLEGE AVE	GATES	10/31/98
5	WCL	9164-301	01/12/98	SHAWANO	STH 29	GATES	12/01/98
4	WCL	9164-269	12/04/96	SHELDON	STH 194	F.L.'S	01/31/98
4	WCL	9164-227	09/08/97	SOLO SPRNGS	LAKE AVE	GATES	10/01/99
4	WCL	9164-227	09/08/97	SOLO SPRNGS	JACK PINE AVE	GATES	10/01/99
5	WCL	9164-299	01/21/98	LADYSMITH	CORBETT AVE	GATES	10/31/00
5	WCL	9164-299	01/21/98	LADYSMITH	MINER AVE	GATES	10/31/00
3	WCL	9005-71	09/02/97	GRAND CHUTE	CTH BB/WCL	GATES	12/31/00

3	WCL	9005-71	09/02/97	GRAND CHUTE	CTH BB/FVW	GATES	12/31/00
5	UP	9040-1104	09/02/97	WAUKESHA	STH 164	GATES	12/31/99
5	SOO	9150-477	11/21/97	COLUMBUS	STH 73	CWT	07/15/99
3	WCL	9068-15	01/31/95	KIMBERLY	MARCELLA ST	F.L.'S	12/31/96
2	WCL	9068-12	08/17/94	WRIGHTSTOWN	CTH DD	F.L.'S	12/31/96
2	WCL	9068-18	10/05/94	MANITOWOC	CALUMET	CANT.	10/15/96
2	WCL	9068-22	05/22/95	COMB. LOCKS	CTH Z	F.L.'S	
2	WCL	9164-166	10/23/96	EMERALD	CTH D	F.L.'S	
1	WCL	9068-11	06/10/94	KAUKUNA	CTH U	GATES	
2	WCL	9068-54		MANITOWOC	S 21 <sup>ST</sup> ST	GATES	
2	WCL	9005-70	03/05/96	STEVENS POINT	5 CROSSINGS	GATES	
2	WCL	9164-196	05/24/94	CARSON	STH 34	F.L.'S	
2	WCL	9164-206		WALDO	STH 28		
2	WSOR	9163-105	01/26/98	GENESEE	CTH D	GATES	06/30/00
2	WSOR	9163-105	01/26/98	GENESEE	CTH ZZ	GATES	06/30/00
4	WSOR	9163-125	09/18/96	MILTON	HILLTOP RD	CANT.	12/31/98
1	SOO	9150-450	05/31/95	BELOIT	WILLOWBROOK	F.L.'S	06/30/96

Work Key:

Gates: automatic flashing light signals with gate arms across the lane of traffic

CWT: signal control circuitry that provides a constant warning time regardless of train speed

F.L.'s: automatic side of the road flashing light signals

MOT: signal control circuitry that deactivates the signals if the train stops outside the crossing

CANT: automatic flashing light signals with added signal units cantilevered over the roadway

MOVE: the signals are in place but need to be relocated

# 1998-1999 Office of the Commissioner of Railroads Backlog Estimated Costs

GATES	130,000	25	3,250,000
CWT	60,000	2	120,000
FL	80,000	14	1,120,000
MOT	50,000	1	50,000
CANT	120,000	2	240,000
MOVE	10,000	1	10,000
SUBTOTAL		45	4,790,000
10%			479,000
TOTAL			5,269,000

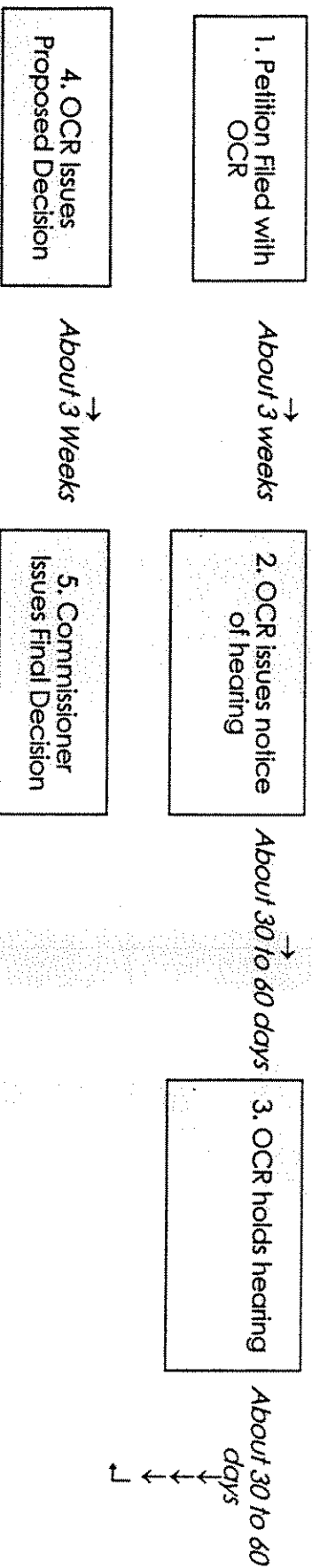
# CORRIDOR INVESTIGATIONS UNDER WAY (1999-2000)

RAILROAD	CORRIDOR	PROJECTS	COST
WCL	ANTIOCH-FOND	30	3.5M
WCL	STEV.PT-SUP	10	1.2M
WCL	FOND-STEV PT	12	1.4M
UP	BUTLER-SHEB	8	1.0M
UP	BUTLER-ADAMS	8	1.0M
UP	ALTOONA-HUD	5	.6M
SOO	WATERTN-LAX	15	1.7M
WSOR	WAUK-MILT	3	.4M
FVW	APPLETON	5	.6M
EST COST		96	11M
10%			1.1M
TOTAL			12.1M



# Office of the Commissioner of Railroads (OCR) Flowchart

## I. For Altering, Establishing, Closing, Relocating, or Exempting Crossings



## II. For Warning Devices Only

